

Health & Science

At EPA, guarding the chief pulls agents from pursuing environmental crimes

By **Juliet Eilperin** and **Brady Dennis** September 20, 2017

Scott Pruitt's round-the-clock personal security detail, which demands triple the manpower of his predecessors at the Environmental Protection Agency, has prompted officials to rotate in special agents from around the country who otherwise would be investigating environmental crimes.

The EPA's Office of Enforcement and Compliance Assurance has summoned agents from various cities to serve two-week stints helping guard Pruitt in recent months. While hiring in many departments is frozen, the agency has sought an exception to hire additional full-time staff to protect Pruitt.

Shortly after the former Oklahoma attorney general assumed his post in February, aides requested 24/7 federal protection for him.

"This never happened with prior administrators," said Michael Hubbard, a former special agent who led the EPA's Criminal Investigation Division office in Boston.

Hubbard, along with other former and current employees who spoke on the condition of anonymity to discuss internal security issues, said agency investigators in Boston, Denver and other regional offices have been tapped for stints as part of Pruitt's security detail.

The practice has rankled some employees and outside critics, who note the EPA's criminal enforcement efforts already are understaffed and the Trump administration has proposed further cuts to the division.

"These guys signed on to work on complex environmental cases, not to be an executive protection detail," Hubbard said. "It's not only not what they want to do, it's not what they were trained and paid to do."

Pruitt has developed a particularly high profile, as well as a divisive one. His aggressiveness in trying to reverse a long list of Obama-era policies and his repeated questioning of how much human activity contributes to climate change has drawn a steady

stream of public vitriol. This outpouring has included a slew of explicit messages on social media, where #PollutingPruitt is a popular hashtag.

While the agency's Office of Inspector General does not discuss the actual number of threats against Pruitt or others at the EPA, it did say investigators have opened more cases this fiscal year than in fiscal 2016. Thirty-two percent were aimed at Pruitt — including “some very personal, ugly threats,” said Patrick Sullivan, the EPA assistant inspector general for investigations — compared with 9 percent directed at his predecessor Gina McCarthy in fiscal 2016.

McCarthy and Lisa Jackson, each of whom led the EPA under President Barack Obama and were controversial figures in their own right, had security teams composed of about a half-dozen individuals. That number could fluctuate when they traveled, and sometimes agents at regional offices would be asked to help with security when an administrator visited.

By contrast, Pruitt's security detail has swelled to about 18 people to cover the round-the-clock needs and the administrator's frequent travel schedule, according to individuals briefed on the arrangement who spoke on the condition of anonymity to discuss security matters.

Agency spokeswoman Liz Bowman said in an email the “EPA does not comment on the specifics of the agency's Protection Services Detail, so as not to disclose law enforcement information that could ultimately endanger safety.”

Commenting more broadly on the agency's hiring, Bowman said, the “EPA continues to evaluate its workforce to ensure we have the right number of employees with the right skills in the right parts of the agency, and conducts limited hiring, accordingly.”

Sullivan said his office has already closed a number of cases directed against Pruitt, “and we also have a number of pending cases.” None has yet resulted in a prosecution.

“A lot of correspondence we have reflects that people are unhappy with his perceived unenforcement of environmental laws,” he said. “When Ms. McCarthy was the administrator, some of the threats involved people being upset because they were enforcing them too much.”

“The EPA is a lightning rod for people. It engenders a lot of emotion,” he added.

Pruitt's protective detail is the rare area of the EPA that is growing even as the Trump administration seeks a 31 percent cut to the agency's budget. Documents obtained under the Freedom of Information Act by E&E News showed the detail's cost during his first quarter in office was nearly double that of his predecessors. Overall, they showed, the EPA spent \$832,735.40 on Pruitt's protection detail for the three-month period.

A memo this spring detailing how the agency planned to spend its “carry-over funds” — essentially, money rolled over after not being spent in the previous fiscal year — said \$800,000 would be allocated for the security detail's travel expenses.

The acting assistant administrator for the Office of Enforcement and Compliance Assurance, Lawrence E. Starfield, recently informed the agency's acting deputy administrator, Michael P. Flynn, he needed to hire more agents to meet the needs of the expanded security coverage.

His June 17 memo, first obtained through the Freedom of Information Act by Bloomberg BNA, redacted the specific number of agents to be hired.

“Because of the critical needs to fill positions on the [protective security detail], we are asking for an exception to the external hiring freeze and permission to allow exemption to hire up [redacted] ... because we are unable to provide the level of support described above,” Starfield wrote. Continuing to rely on criminal investigators to backstop Pruitt's security contingent “is pulling them away from their core mission of investigating environmental crimes in furtherance of the Agency's mission to protect public health and the environment,” he added.

In a later email to other officials, Starfield defended the practice of temporarily borrowing environmental crime agents to fill in on security duty. “We made the appropriate use of available resources initially,” he wrote.

Even before Pruitt's security team expanded, the number of special agents inside the Criminal Investigation Division was declining. According to documents obtained by Public Employees for Environmental Responsibility under the Freedom of Information Act, their ranks have fallen 28 percent since 2003. The division boasts 147 agents, fewer than the 200-agent minimum mandated by the 1990 Pollution Prosecution Act.

New criminal cases opened by the division have also dropped, according to the documents, sliding by 48 percent between fiscal 2012 and fiscal 2016. The current fiscal year is on pace to open just 120 new cases, records indicate, down sharply from the 170 initiated last year.

“This evaporation of criminal enforcement is snowballing in that fewer agents generate fewer cases leading to ever-fewer convictions down the road,” Jeff Ruch, executive director of the employees group, said in a statement.

Secretaries at the State, Defense, Treasury and Homeland Security departments have long received 24/7 personal protection. But the Trump era has brought with it unprecedented security requests.

Education Secretary Betsy DeVos came under scrutiny earlier this year when The Washington Post reported her agency was spending an average of nearly \$1 million per month to reimburse the U.S. Marshals Service for her personal security.

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